

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JERYLAN MARQUEZ-ORTIZ,
Plaintiff,

-v-

UNITED STATES OF AMERICA,
Defendant.

20-CV-5793 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Plaintiff appeals the September 26, 2022 order issued by Magistrate Judge Lehrburger denying his request for a conference in advance of making a motion for spoliation. (Dkt. Nos. 77, 78.) A district court will set aside a magistrate judge's decision on a non-dispositive matter only where it is "clearly erroneous or is contrary to law." Fed. R. Civ. P. 72(a). Having reviewed Judge Lehrburger's order and the parties' submissions, the Court finds no error, clear or otherwise, and concludes that the order is consistent with the law. The order is therefore affirmed.

SO ORDERED.

Dated: October 13, 2022
New York, New York



J. PAUL OETKEN
United States District Judge